

2005 Assembly Bill 566

Date of enactment: **March 27, 2006**

Date of publication*: **April 10, 2006**

2005 WISCONSIN ACT 210

AN ACT *to repeal* 350.10 (1) (e); *to renumber and amend* 350.09 (6) and 350.09 (7); *to amend* 350.09 (8) and 350.10 (1) (d); *to repeal and recreate* 350.095 (2) (d); and *to create* 350.095 (title), 350.095 (1) (title), 350.095 (2) (title) and 350.095 (2) (c) and (d) of the statutes; **relating to:** noise level requirements for snowmobiles and granting rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 350.09 (6) of the statutes is renumbered 350.095 (2) (a) and amended to read:

350.095 (2) (a) No snowmobile shall may be manufactured, sold, offered for sale, or operated unless it is equipped with a muffler in good working order, which.

(b) For snowmobiles manufactured after July 1, 1972, a muffler that is in good working order is one that blends the exhaust noise into the overall engine noise and is in constant operation to prevent excessive or unusual exhaust and engine noise that exceeds the applicable noise level standards established under pars. (c) and (d).

SECTION 2. 350.09 (7) of the statutes is renumbered 350.095 (1) (a) and amended to read:

350.095 (1) (a) ~~Every snowmobile manufactured after July 1, 1972, and offered for sale or sold in this state shall be so constructed as to limit total vehicle noise to not more than 82 decibels of A sound pressure at 50 feet, as measured by society of automotive engineers standards. Every snowmobile that is manufactured on or after July 1 2, 1975, and that is offered for sale or sold in this state as a new snowmobile shall be manufactured so~~

~~constructed as to limit total vehicle noise to not more than 78 decibels of A sound pressure, as measured by society of automotive engineers~~ Society of Automotive Engineers standards.

(b) No snowmobile shall may be modified by any person in any manner that shall amplify or otherwise increase total ~~noise emission~~ vehicle noise above that emitted by the snowmobile as originally ~~constructed~~ manufactured, regardless of date of manufacture.

SECTION 3. 350.09 (8) of the statutes is amended to read:

350.09 (8) ~~Subsection (7)~~ Section 350.095 does not apply to snowmobiles competing in a sanctioned race or derby or to snowmobiles being tested by manufacturers, distributors or dealers on lands under their control.

SECTION 4. 350.095 (title) of the statutes is created to read:

350.095 (title) Noise level requirements.

SECTION 5. 350.095 (1) (title) of the statutes is created to read:

350.095 (1) (title) NOISE LEVEL STANDARDS; TOTAL VEHICLE NOISE.

SECTION 6. 350.095 (2) (title) of the statutes is created to read:

350.095 (2) (title) NOISE LEVEL STANDARDS; EXHAUST AND ENGINE NOISE.

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

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SECTION 7. 350.095 (2) (c) and (d) of the statutes are created to read:

350.095 (2) (c) For every snowmobile manufactured after July 1, 1972, and before July 2, 1975, the noise level standard for exhaust and engine noise shall be 90 decibels as measured in accordance with the procedures established for the measurement of exhaust sound levels of stationary snowmobiles in the January 2004 Society of Automotive Engineers Standard J2567.

(d) For every snowmobile manufactured on or after July 2, 1975, the noise level standard for exhaust and engine noise shall be 88 decibels as measured in accordance with the procedures established for the measurement of exhaust sound levels of stationary snowmobiles in the January 2004 Society of Automotive Engineers Standard J2567.

SECTION 7m. 350.095 (2) (d) of the statutes, as created by 2005 Wisconsin Act (this act), is repealed and recreated to read:

350.095 (2) (d) 1. Except as provided in subd. 2., for every snowmobile manufactured on or after July 2, 1975,

the noise level standard for exhaust and engine noise shall be 88 decibels as measured in accordance with the procedures established for the measurement of exhaust sound levels of stationary snowmobiles in the January 2004 Society of Automotive Engineers Standard J2567.

2. After consulting with the snowmobile recreational council, the department may promulgate a rule that establishes a noise level standard for exhaust and engine noise that is other than 88 decibels.

SECTION 8. 350.10 (1) (d) of the statutes is amended to read:

350.10 (1) (d) In such a way that the exhaust of the ~~motor makes an excessive or unusual noise~~ and engine noise exceeds the applicable noise level standard specified in s. 350.095 (2) (c) or (d).

SECTION 9. 350.10 (1) (e) of the statutes is repealed.

SECTION 10m. Effective date.

(1) The repeal and recreation of section 350.095 (2) (d) of the statutes takes effect on the first day of the 25th month beginning after publication.
